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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/647,265 | 11/09/2000 | Toby Walker | 450101-02303 | 5375 |

20999 7590 11/07/2003

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| EXAMINER |
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VO, TUNG T

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| ART UNIT | PAPER NUMBER |
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2613

DATE MAILED: 11/07/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/647,265

Applicant(s)

SHARPE ET AL.

Examiner

Tung T. Vo

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 11/09/200 being considered by the examiner.

Claim Objections

3. Claims 1, 4, 5, and 10 are objected to because of the following informalities: Claims 1, 5, and 10, the term "may" should be deleted; claim 4, delete "element" in line2. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-15 rejected under 35 U.S.C. 102(e) as being anticipated by Sezan et al. (US 6,236,395 B1).

Re claims 1, 5, and 10, Sezan discloses a data processor (fig. 2) for generating a feature data characteristic of the content of an input data (38 of fig. 2), comprising:

means (44 of fig. 2; and see also figure 13) for generating a feature data on the basis of a descriptor being a unit element defining a describing procedure and which is structured to have its attribute defined as lower-level element and may include other descriptor as attribute (see the description procedure as shown in cols. 14-26, and the details of the figure 13), and means for restoring a feature of the content of the input data by initializing the feature data generated on the basis of the descriptor (50 of fig. 2, e.g. the data storage unit is capably re-storing the generated description (DS of fig. 2)).

Re claims 2, 6, and 11, Sezan further discloses wherein the input data includes at least one of visual data and audio data included in a video data (38 of fig. 2).

Re claims 3, 7, 12, Sezan further discloses wherein the descriptor is generated to inherit functions from a higher-class descriptor including the capability of structuring (406 of fig. 13).

Re claims 4, 7, and 13, Sezan further discloses wherein the attribute as the lower-level element is structured by defining the attribute of the descriptor and/or a special attribute (426 of fig. 14, wherein the level determines the high or low level structure of key frame view description scheme).

Re claims 9, and 14-15, Sezan further discloses wherein the feature data is received along with the input data from an external apparatus (38 of fig. 2), and the restoring means restores the feature of the input data and generates a processed one of the input data (50 of fig. 2, see also col. 10).

6. Claims 1-15 rejected under 35 U.S.C. 102(e) as being anticipated by Filepp et al. (US 6,195,661 B1) as shown in figures 1, 2, 4a-4d, 5b, 8-10.

7. Claims 1-15 rejected under 35 U.S.C. 102(e) as being anticipated by Abecassis (US 6,038,267) as shown in figures 1-5.

8. Claims 1-15 rejected under 35 U.S.C. 102(e) as being anticipated by Kumar et al. (US 6,448,980 B1) as shown in figures 1-6A.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Smith et al. (US 6,223,183 B1) discloses a system and method for describing views in space, time, frequency, and resolution.


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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung T. Vo whose telephone number is (703) 308-5874. The examiner can normally be reached on 6:30 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris. Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.


TUNG T. VO
PATENT EXAMINER

T.Vo

Tung T. Vo
Examiner
Art Unit 2613